

SCRUGGS KATRINA GROUP

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Scruggs Law Firm, P.A.
Nutt & McAlister, P.L.L.C

Barrett Law Office, P.A.
Lovelace Law Firm, P.A.

August 31, 2007

URGENT – DELIVER TO ADDRESSEES IMMEDIATELY

Via Email and Facsimile

Larry G. Canada, Esq.
A. Kathryn Breard Platt, Esq.
Galloway, Johnson, Tompkins, Burr & Smith
One Shell Square
701 Poydras Street, Suite 4040
New Orleans, Louisiana 70139

Re: ***McIntosh v. State Farm, et al.***
United States District Court, Southern District of Mississippi
Southern Division; Civil Action No. 1:06cv1080 LTS RHW

Dear Larry and Kathryn:

At this moment Plaintiffs' counsel, Mary McAlister is in Raleigh, North Carolina with a forensic computer expert who flew to Raleigh from New Mexico yesterday. They are in Raleigh to image the data on two computers located within Mr. Kochan's office, at 3401 Atlantic Avenue, Raleigh, North Carolina, 27604, per a subpoena that was issued from the United States District Court for the Eastern District of North Carolina, and duly served upon Robert K. Kochan on August 21, 2007. A copy of the subpoena and its return is attached.

When they appeared this morning per the subpoena at 9:00 AM, Mr. Kochan refused to grant access to the computers and advised Ms. McAlister that his attorney (presumably yourself) had obtained an order, in Mr. Kochan's words, "squashing" the subpoena.

The purpose of this letter is to provide you with a written good faith request that Mr. Kochan comply with the subpoena or otherwise provide the undersigned counsel, by expedited delivery, with a copy of any order(s) "squashing" or otherwise relieving Mr. Kochan from complying with the subpoena. Secondly, since there is a history here of obstruction of justice and interference with subpoenas issued from foreign federal courts having Rule 45 jurisdiction, I am requesting that you exercise your duty as an officer of the Court, and fully comply and counsel your client Mr. Kochan to fully comply with all the provisions of Rule 45 of the Federal Rules of Civil Procedure, in responding to the subpoena issued from North Carolina and served upon him.

If I do not hear from you forthwith, or receive a copy of a proper order relieving Mr. Kochan of compliance, we will be forced to take action for immediate enforcement of the



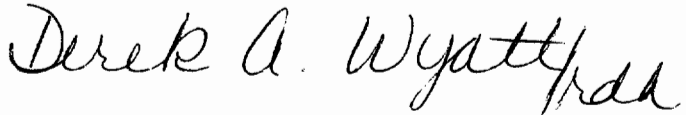
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subpoena, which may include, among other things, a request for an order holding Mr. Kochan in contempt.

You should be aware that the invoices for Mary McAlister's travel, time and expenses, and the computer expert's costs and expenses, which are continuing, are at this writing in excess of \$2000.00. If it turns out that this matter correlates to the obstruction of evidence and subpoena interference we incurred in the past, particularly with respect to the subpoena issued from the United States District Court in Nevada last December, I regrettably must inform you that we will seek the full available regulatory, civil and criminal remedies against all persons acting in concert with Mr. Kochan in his refusal to obey the subpoena.

Sincerely,

SCRUGGS KATRINA GROUP

A handwritten signature in black ink that reads "Derek A. Wyatt" followed by a stylized monogram "rdh".

Derek A. Wyatt
Nutt & McAlister, P.L.L.C.

DAW/rdh
Attachment